IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISON No. 7:20-CV-00152-D

TONI BULLARD,)	
Plaintiff,)	
KILOLO KIJAKAZI, Acting Commissioner of Social Security,)))	ORDER APPROVING ATTORNEY FEES PURSUANT TO 42 U.S.C. § 406(b)
Defendant.)	

Plaintiff's counsel filed a motion for approval of attorney's fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), in the amount of \$8,640.86. Attorney's fees under section 206(b) are paid from past-due benefits awarded to a successful claimant. 42 U.S.C. § 406(b).

Defendant filed a response, stating that under *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee.

It is ORDERED that Plaintiff's counsel be awarded fees under 42 U.S.C. § 406(b) in the amount of \$8,940.86 and to refund the previously awarded EAJA fees to Plaintiff in the amount of \$4,480.00.

SO ORDERED. This 12 day of May, 2023.

JAMES C. DEVER, III United States District Judge